



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,722	09/25/2003	Akira Kume	S004-5129	6772

40627 7590 11/21/2006

ADAMS & WILKS
17 BATTERY PLACE
SUITE 1231
NEW YORK, NY 10004

EXAMINER

MULLER, BRYAN R

ART UNIT	PAPER NUMBER
----------	--------------

3723

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/670,722

9/25/2003

Kume, Akira

S004-5129

EXAMINER

Muller, Bryan

ART UNIT	PAPER
----------	-------

3723

20061115

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

REPLY BRIEF NOTED

1. In response to the reply brief filed on 9/6/2006, the Examiner agrees that the withdrawal of the rejections of claims 21, 28, 35 and 37 under 35 U.S.C. §112, first and second paragraphs in the Advisory Action filed 2/28/2006 was overlooked and that the rejections of these claims under 35 U.S.C. §112, first and second paragraphs are not under review on appeal.
2. Further, the Examiner's contention that claims 35-38 in the applicants Brief on Appeal filed 5/15/2006 were incorrect was also due a mistake by the examiner overlooking the amended claims filed 2/13/2006. Therefore, all of the claims in the Appendix of the applicant's Brief of Appeal are correct.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan R. Muller whose telephone number is (571) 272-4489. The examiner can normally be reached on Monday thru Thursday and second Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail III can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3723

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BRM
11/15/2006



Joseph J. Hail, III
Supervisory Patent Examiner
Technology Center 3700